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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK I. SOKOLOW, *et al.*,

Plaintiffs,

ORDER

04 CV 397 (GBD)

-against-

THE PALESTINE LIBERATION ORGANIZATION,
THE PALESTINIAN AUTHORITY (a/k/a "The Palestinian
Interim Self-Government Authority" and/or "The Palestinian
Council" and/or "The Palestinian National Authority"), and
JOHN DOES 1-99,

Defendants.

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GEORGE B. DANIELS, District Judge:

Defendants' motion pursuant to 28 U.S.C. § 1406 to dismiss this case for improper venue is DENIED.

Dismissal would not be appropriate, even if venue were improper, because there are other districts in which this case could have been brought, and in the interest of justice, could be transferred to, including both the District of Columbia and the Eastern District of New York.

Defendants' alternative motion to transfer this case to the District of Columbia, on the basis that it is the only available district in which Plaintiffs' complaint could have been brought, is DENIED.

Defendants' motion to dismiss or transfer is also DENIED as untimely and in violation of the limitation on further motions in Rule 12(g)(2), since the motion raises the defense of improper venue that was available, but omitted, when Defendants made their earlier motion to dismiss prior to filing their answer.

Dated: New York, New York
June 2, 2011

SO ORDERED:


GEORGE B. DANIELS